

### REMARKS

Applicants appreciate the Examiner's thorough examination of the present application as evidenced by the Office Action of August 2, 2004 (hereinafter "Office Action"). In response, Applicants respectfully submit that the cited reference does not disclose or suggest at least the recitations of the independent claims. Accordingly, Applicants submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

#### Independent Claims 1, 12, 16, 20, 31, 35, 39, 50, and 54 are Patentable

Independent Claims 1, 16, 20, 35, 39, and 54 stand rejected under 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 5,752,032 to Keller et al. (hereinafter "Keller"). Independent Claims 12, 31, and 50 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Keller.

Claim 1 is directed to a method of instantiating a device driver and includes the following recitation:

dynamically associating a first software component with the device driver **at run-time**, the first software component containing information that facilitates communication with devices of a specific device type. (Emphasis added).

Claim 12 is directed to a method of collecting data from a device and recites, in part:

...  
dynamically associating a software component with a device driver **at run-time**, the software component containing information that facilitates communication with the device;  
... (Emphasis added).

Claim 16 is directed to a method of instantiating a device driver and recites, in part:

...  
dynamically communicating the at least one of the plurality of device parameters associated with the service to the device driver **at run-time**.  
(Emphasis added).

Independent Claims 20, 31, 35, 39, 50, and 54 include similar recitations. As indicated above, the independent claims describe a software component being associated with a device

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driver at run-time or dynamically communicating one or more device parameters associated with a service to a device driver at run-time.

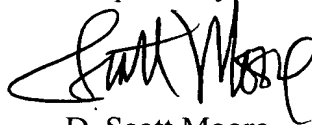
In sharp contrast, Keller appears to describe a device driver in which hardware interface objects are dynamically loaded at initialization, not during program execution, i.e., run-time. (See, e.g., Keller, col. 4, lines 21 - 24, col. 15, lines 18 - 27, and col. 38, lines 1 - 10.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 12, 16, 20, 31, 35, 39, 50, and 54 are patentable over Keller and that Claims 2 - 11, 13 - 15, 17 - 19, 21 - 30, 32 - 34, 36 - 38, 40 - 49, 51 - 53, and 55 - 57.

### CONCLUSION

In light of the above discussion, Applicants submit that the present application is in condition for allowance, which action is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



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